

01-24-'06 09:58 FROM-Mattingly, Stanger

703-684-1157

T-613 P002/006 F-777

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Confirmation No. 8375

JAN 24 PM 3:50  
US PATENT & TRADEMARK  
OFFICE

Appl. No. : 10/020,313

Applicant : K. FUJIMOTO

Filed : December 18, 2001

Title : STORAGE SYSTEM, A METHOD OF FILE DATA BACKUP  
AND A METHOD OF COPYING OF FILE DATA

TC/AU : 2161

Examiner : E.P. Leroux

Docket No. : H-1190

Customer No.: 24956

Director of the U.S. Patent and Trademark Office  
Mail Stop 16  
P.O. Box 1450  
Alexandria, VA 22313-1450

REQUEST FOR REFUND

Sir:

Applicants request a refund in the above-identified application due to an error on their part.

On September 12, 2005, Applicants filed an Amendment. The Transmittal Letter (PTO-1083, copy attached) filed with the Amendment contained a typographical error regarding the number of claims contained in the Amendment. It indicated that an additional independent claim (for a total of four) had been filed. However, the fourth independent claim was added to the application in the Amendment filed on April 29, 2005. Payment was made at that time. A copy of the transmittal letter from April 29, 2005 is enclosed.

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01-24-'06 09:58 FROM-Mattingly, Stanger

703-684-1157

T-613 P003/006 F-777

H-1190

Appl. No. 10/020,313

Request for Refund dated January 24, 2006

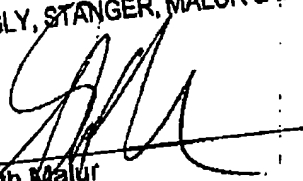
The Applicants' representatives Monthly Statement of Account for September, 2005 (copy enclosed) indicates a \$200.00 charge for an additional independent claim. Since there was no additional independent claim filed at that time, Applicants request that the amount of \$200.00 be refunded.

Please credit a refund in the amount of \$200.00 to the Deposit Account No.

50-1417.

Respectfully submitted,

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.

By   
Shrinath Malur  
Reg. No. 34,683  
(703) 684-1120

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06 09:36 11  
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Alexandria, VA 22313-1450  
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**MONTHLY STATEMENT  
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To replenish your deposit account, detach and return top portion with your check. Make check payable to Director of Patents & Trademarks.

MATTINGLY STANGER & MALUR, P. C.  
1800 DIAGONAL ROAD, SUITE 370  
ALEXANDRIA VA 22314

**FINA**

Account No.	501417
Date	9-30-05
Page	1

Page                     

**PLEASE SEND REMITTANCES TO:**  
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DATE POSTED			CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOC# & NO.	FEE CODE	CHARGES/ CREDITS	BALANCE
9	2	05	211	11212665		8021	40.00	5772.00
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9	7	05	101	09314738		8011	55.00	5517.00
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9	19	05	1	11216169		1201	200.00	2947.00
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9	27	05	4	11203978		1202	300.00	2647.00
9	27	05				1201	200.00	2447.00

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OCT 13 2005

MATTINGLY, STANGER  
MALUR & BRUNDIDGE P.C.

AN AMOUNT SUFFICIENT TO  
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01-24-'06 09:59 FROM-Mattingly, Stanger

703-684-1157

T-613 P005/006 F-777

FORM PTO-1083

PATENT

Case Docket No. H-1190

In RE application of K. FUJIMOTO  
Serial No.: 10/020,313

Group Art Unit: 2161

Examiner: E.P. Leroux

Filed: December 18, 2001

For: STORAGE SYSTEM, A METHOD OF FILE DATA BACKUP AND A METHOD OF  
COPYING OF FILE DATA

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith is an Amendment in the above-identified application.

- ☐ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
- ☐ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
- ☐ No additional fee is required.

The fee has been calculated as shown below:

(COL. 1)		(COL. 2)		(COL. 3)	
	Claims Remaining After Amendment		Highest No. Previously Paid For		Present Extra
Total	25	Minus	20	=	5
Indep.	4	Minus	4	=	0

☐ First Presentation of Multiple Dependent Claims

SMALL ENTITY

Rate	Additional Fee
x 9	\$
x 42	\$
+ 140	\$
Total	\$

OR

OTHER THAN A SMALL ENTITY

Rate	Additional Fee
x 18	\$ 90
x 84	\$ 0
+ 280	\$ 0
Total	\$ 90

OR

- ☐ If the entry in Col. 1 is less than the entry in Col. 2, write '0' in Col. 3.
- ☐ If the 'Highest Number Previously Paid For' in THIS SPACE is less than 20, write '20' in this space.
- ☐ If the 'Highest Number Previously Paid For' in THIS SPACE is less than 3, write '3' in this space.
- ☐ The 'Highest Number Previously Paid For' (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior Amendment or the number of claims originally filed.

☐ Please charge my Deposit Account No. 50-1417 in the amount of \$

☒ A check in the amount of \$ 1,360.00 is attached in payment of;  
Credit Card Payment Form - 1EOT, RCE, extra claims

☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1417.

- ☒ Any filing fees under 37 CFR 1.18 for the presentation of extra claims.
- ☒ Any patent application processing fees under 37 CFR 1.17.
- ☒ Any Extension of Time fees that are necessary, which are hereby requested if necessary.

MATTINGLY, STANGER & MALUR, P.C.  
1800 Diagonal Rd., Suite 370  
Alexandria, Virginia 22314  
(703) 684-1120

By:

Shirley A. Malur  
Registration No. 34,663  
Attorney for Applicant(s)

Date: April 29, 2005

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01-24-'06 09:59 FROM-Mattingly,Stanger

703-684-1157

T-613 P006/006 F-777

FORM PTO-1083

PATENT

Case Docket No. H-1190

In RE application of K. FUJIMOTO  
Serial No.: 10/020,313

Group Art Unit: 2161

Examiner: E.P. Leroux

Filed: December 18, 2001

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☐ No additional fee is required.

The fee has been calculated as shown below:

(COL. 1)		(COL. 2)		(COL. 3)	
	Claims Remaining After Amendment		Highest No. Previously Paid For		Present Extra
Total	24	Minus	25	-	0
Indep.	4	Minus	3	-	1

☐ First Presentation of Multiple Dependent Claims

SMALL ENTITY	
Rate	Additional Fee
x 9	0
x 42	0
+ 140	0
Total	0

OTHER THAN A SMALL ENTITY	
Rate	Additional Fee
x 18	0
x 84	84
+ 280	0
Total	84

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.  
\* If the "Highest Number Previously Paid For" in THIS SPACE is less than 20, write "20" in this space.  
\* If the "Highest Number Previously Paid For" in THIS SPACE is less than 3, write "3" in this space.  
\* The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior Amendment or the number of claims originally filed.

☐ Please charge my Deposit Account No. 50-1417 in the amount of \$ \_\_\_\_\_

☐ A check in the amount of \$ \_\_\_\_\_ is attached in payment of:

☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1417.

☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims;

☒ Any patent application processing fees under 37 CFR 1.17.

☒ Any Extension of Time fees that are necessary, which are hereby requested if necessary.

MATTINGLY, STANGER & MALUR, P.C.  
1800 Diagonal Rd., Suite 370  
Alexandria, Virginia 22314  
(703) 684-1120

By:

Shirley M. Malur  
Registration No. 84,683  
Attorney for Applicant(s)

01-24-'06 09:58 FROM-Mattingly, Stanger 703-684-1157 T-613 P001/006 F-777  
**MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.**

ATTORNEYS AT LAW  
1800 DIAGONAL ROAD, SUITE 370  
ALEXANDRIA, VIRGINIA 22314

(703) 684-1120

2006 JAN 24 PM 7:52  
US PATENT & TRADEMARK  
OFFICE  
FACSIMILE (703) 684-1157

JOHN R. MATTINGLY  
DANIEL J. STANGER  
SHRINATH MALUR  
CARL L. BRUNDIDGE

COLIN D. BARNITZ  
GENE W. STOCKMAN  
OF COUNSEL

JEFFREY M. KETCHUM  
Registered Patent Agent

\* Bar Membership Other Than Virginia

Date: January 24, 2006

FACSIMILE COVER LETTER

Facsimile Number: (571)273-6500

To: Commissioner for Patents  
Attn: Latrice Sims

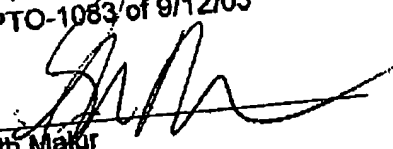
From : Mr. Shrinath Malur  
MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.

Re: USSN 10/020,313  
Attorney Docket No.: H-1190

**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that the following listed documents are being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

Request for Refund  
Copy of Deposit Account Statement (9/05)  
PTO-1089 of 4/29/05  
PTO-1083 of 9/12/05

  
Shrinath Malur  
Reg. No. 34,663

January 24, 2006  
Date

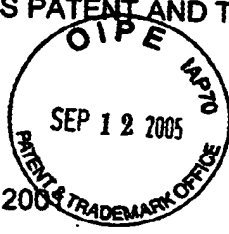
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Appl. No. : 10/020,313 Confirmation No. 8375  
Applicant : K. FUJIMOTO  
Filed : December 18, 2004  
Title : STORAGE SYSTEM, A METHOD OF FILE DATA BACKUP  
AND A METHOD OF COPYING OF FILE DATA  
TC/AU : 2161  
Examiner : E.P. Leroux  
Docket No. : H-1190  
Customer No.: 24956  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT

Sir:

In response to the Office Action of June 14, 2005, please amend the above-identified application as follows.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks / Arguments begin on page 10 of this paper.

09/15/2005 EAYALEW1 00000001 501417 10020313

01 FC:1201 200.00 DA

Adjustment date: 02/09/2006 SPENB0B1  
09/15/2005 EAYALEW1 00000001 501417 10020313  
01 FC:1201 200.00 CR

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